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**OFFICE OF PETITIONS**

In re Application of Mauldin : Decision on Petition  
Application No. 10/750,108 :  
Filing Date: December 31, 2003 :  
For: Minimal Resistance Scallop for :  
a Well Perforating Device :

This is a decision on the petition under 37 CFR 1.137(b), filed April 6, 2007, to revive the above-identified application.

The petition is **granted**.

A final Office action was mailed December 6, 2005. The Office action set a shortened statutory period for reply of three (3) months.

A request for a one-month extension of time was filed March 6, 2006.

An amendment was filed April 6, 2006.

An advisory action was mailed May 4, 2006. A supplemental advisory action was mailed May 17, 2006. Petitioner received neither Office action.

A Notice of Abandonment was mailed July 19, 2006.

The instant petition requests revival of the application.

Petitioner has submitted the required petition fee of \$750. Petitioner has submitted a reply to the final Office action in the form of a Notice of Appeal. Petitioner has stated the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b). Therefore, the petition is granted and the application is revived.

On September 6, 2006, petitioner submitted a fee of \$400 for a petition to withdraw the holding of abandonment. A fee is unnecessary for a petition to withdraw the holding of abandonment. The decision on the petition stated the \$400 could be applied towards the \$750 petition fee for a

petition under 37 CFR 1.137(b). However, petitioner submitted the full \$750 fee on April 6, 2007. Therefore, the Office has scheduled a refund of the \$400.

The \$250 fee for the Notice of Appeal was paid September 6, 2006, and paid a second time on April 6, 2006. The Office has scheduled a refund of the \$250 overpayment.

**The Notice of Appeal filed April 6, 2006, has been entered and made of record. Accordingly, the 2-month period for filing the appeal brief, in triplicate, accompanied by the fee required by law, runs from the date of this decision.**

Technology Center Art Unit 3672 will be informed of the instant decision and will await the filing of an appeal brief or other proper paper.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.



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Office of Petitions